

EXHIBIT D

RESPONSE: Admit.

4. Admit that You never discussed the amount of Your Donation with the Defendants or anyone affiliated with TIGHAR before making it.

RESPONSE: Deny. Mr. Mellon discussed the amount of the Donation with Mr. Gillespie.

5. Admit that neither of the Defendants, nor anyone representing Defendants, requested a specific Donation from You.

RESPONSE: Qualified denial. Mr. Mellon and Defendants did not speak about specific amounts of Mr. Mellon's donation, but Defendants made clear the amounts of money they needed for the expedition.

6. Admit that You initially contacted Ric Gillespie about making a Donation to TIGHAR's NIKU VII expedition.

RESPONSE: Admit.

7. Admit that You were not solicited by Ric Gillespie or anyone with TIGHAR before making Your Donation to TIGHAR. NOTE: For purposes of responding "solicitation" means that contact regarding Your Donation to TIGHAR was initiated by Defendants.

RESPONSE: Qualified denial. TIGHAR made specific efforts to publicize its expedition and its efforts to find the Earhart wreckage. Plaintiff's response to TIGHAR and contact with Ric Gillespie was a direct result of those efforts.

8. Admit that You and You alone are who made the decision to make Your Donation to TIGHAR.

RESPONSE: Admit.

9. Admit that You and You alone made the decision about the size of Your Donation to TIGHAR.

RESPONSE: Admit.

10. Admit that before You made Your Donation, You did not ask to see any videotape or other recordings made recorded during the NIKU VI expedition.

RESPONSE: Admit.

11. Admit that before You made Your Donation, You did not ask to see any Documentation or other materials from TIGHAR.

RESPONSE: Denied. Before making the donation TIGHAR provided a DVD of a Discovery Channel show, a DVD titled "An Aerial Tour of Nikumaroro", a copy of Ric Gillespie's book and a collector's folio of the "The Harney Drawings" of Earhart's Electra.

12. Admit that before You made Your Donation, You did not see any videotape recorded during the NIKU VI expedition.

RESPONSE: Admit.

13. Admit that before You made Your Donation, videotape of the NIKU VI expedition was publicly available.

RESPONSE: Qualified denial. Plaintiff has no personal knowledge of whether videotape from the NIKU VI expedition was made available to the public.

14. Admit that You have no conclusive, physical proof that actual Earhart Artifacts are underwater near Nikumaroro.

RESPONSE: Denied. Mr. Mellon has film of underwater artifacts.

15. Admit that your belief that the Niku VI underwater footage depicts Earhart Artifacts is based on your opinion, and/or the opinions of Your experts.

RESPONSE: Denied. Plaintiff's belief that the NIKU VI underwater footage depicts the Earhart artifacts is based upon the fact that artifacts are shown in the footage.

16. Admit that the statements you allege were made by Mr. Gillespie in Paragraphs 21 and 33 of Your Complaint as to representations made by him were made by him in his capacity as Executive Director of TIGHAR.

RESPONSE: Qualified denial. Representations made by Mr. Gillespie were made in his in his individual capacity and in his capacity as director of TIGHAR.

17. Admit that in Your Complaint You do not make any fraud claim against Ric Gillespie as an individual but instead as TIGHAR's Executive Director.

RESPONSE: Denied.

18. Admit that You do not make any negligent misrepresentation claim against Ric Gillespie as an individual in Your Complaint but instead as TIGHAR's Executive Director.

RESPONSE: Denied.

19. Admit that every allegation You have made against Ric Gillespie in Your Complaint relate to him in his capacity as TIGHAR's Executive Director.

RESPONSE: Denied.

20. Admit You wish to bankrupt TIGHAR.

RESPONSE: Denied.

21. Admit You want to acquire from TIGHAR its exploration, recovery, preservation and other exclusive rights granted to TIGHAR by the Republic of Kiribati.

RESPONSE: Denied.

22. Admit You had discussions with TIGHAR about Your Donation outside of the state of Wyoming.

RESPONSE: Admit.

23. Admit that at no time from the date of your initial contact with TIGHAR on March 22, 2012 until you made Your Donation on March 30, 2012 were you in the state of Wyoming.

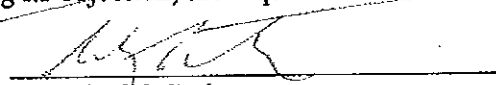
RESPONSE: Denied. Plaintiff was in the state of Wyoming March 22, 2012 and March 23, 2012.

24. Admit You have no Documents or Writings or Communications establishing that from the conclusion of Niku VI until the date of Your Donation TIGHAR had discovered Earhart Artifacts.

RESPONSE: Denied. Plaintiff has film from the Niku VI Expedition showing Earhart Artifacts.

25. Admit You have no non-tangible evidence, Documents, Writings or Communications establishing that TIGHAR ever found Earhart Artifacts.

RESPONSE: Objection. The request to admit is unduly vague in that it is unclear what "non-tangible evidence" is. Without waiving its objection, the request for admission is denied.


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26. Admit You have no Documents, Writings or Communications establishing that TIGHAR knew it had discovered any Earhart Artifacts during Niku VI.

RESPONSE: Denied.

27. Admit that You have no Documents, Writings or Communications that TIGHAR hid any findings from any expedition it has conducted.

RESPONSE: Qualified denial. Defendants hid photos from Dr. Cook of underwater features that they had acquired.

28. Admit that You believe the NIKU VI underwater video footage depicts Earhart Artifacts.

RESPONSE: Admit.

29. Admit TIGHAR is a non-profit corporation.

RESPONSE: Admit.

30. Admit TIGHAR relies almost exclusively on donations to fund its expeditions.

RESPONSE: Qualified Denial. TIGHAR also apparently relies upon revenue from the Discovery Channel as well as in-kind services such as those provided by Jeff Glickman and Pho-Tek where TIGHAR provides certain promotional services to those providing services.

31. Admit You never asked Ric Gillespie whether TIGHAR found Earhart Artifacts.

RESPONSE: Admit.

32. Admit Ric Gillespie never explicitly told You that TIGHAR had not found Earhart Artifacts.

RESPONSE: Denied. Mr. Gillespie specifically spoke of the purpose of the expeditions which was to discover Earhart Artifacts.

33. Admit You never asked Mr. Gillespie any specific questions about the findings from the NIKU VI expedition.

RESPONSE: Admit.

34. Admit TIGHAR would realize more financial benefit from finding Earhart Artifacts than from concealing discovery of Earhart Artifacts.

RESPONSE: Denied. TIGHAR is ultimately responsible for what financial benefits it realizes from any of its activities.

35. Admit You never sought guidance from any expert or other individual before making Your Donation to TIGHAR.

RESPONSE: Denied. Plaintiff sought guidance from Ric Gillespie who is the professed expert in this area of exploration and discovery.

36. Admit You never asked any person to evaluate any TIGHAR materials before making Your Donation to TIGHAR.

RESPONSE: Admit.

37. Admit TIGHAR has never recovered any Earhart Artifacts from below the surface of the ocean.

RESPONSE: Denied. Plaintiff lacks personal knowledge of what TIGHAR has or has not recovered from below the surface of the ocean.

38. Admit Defendants never made any false misrepresentations to You regarding the Earhart Search.

RESPONSE: Denied.

39. Admit You have no evidence that the Discovery Channel believes Earhart Artifacts have been filmed.

RESPONSE: Admit.

40. Admit You have no evidence that the Discovery Channel believes Earhart Artifacts were discovered during NIKU VI or at any time prior to Your Donation.

RESPONSE: Admit.

41. Admit that You have no evidence that the Discovery Channel failed to disclose any information regarding the search for Earhart Artifacts.

RESPONSE: Admit.

42. Admit You made Your Donation to TIGHAR with no conditions other than the expectation that You would accompany the 2012 expedition.

RESPONSE: Denied. Plaintiff did not condition his gift upon accompanying the 2012 expedition.

43. Admit You had no contract with TIGHAR regarding Your Donation.

RESPONSE: Admit.

44. Admit that TIGHAR never promised that it would locate Earhart Artifacts in exchange for Your Donation.

RESPONSE: Admit.

45. Admit You had no written agreement with TIGHAR regarding Your Donation.

RESPONSE: Admit.

46. Admit TIGHAR was not aware of Your interest in the Earhart search before You contacted them.

RESPONSE: Denied. Plaintiff has no personal knowledge of what TIGHAR did or did not know before Plaintiff contacted TIGHAR.

47. Admit that TIGHAR's underwater video footage from NIKU VI is copyrighted.

RESPONSE: Denied. Plaintiff has no personal knowledge of what action TIGHAR has taken with respect to video footage.